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**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/826,979
Filing Date	April 5, 2001
First Named Inventor	Jeffrey D. Flood
Art Unit	1723
Examiner Name	David L. Sorkin
Attorney Docket Number	35479.7

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)

b. Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.

i. RCE fee required under 37 C.F.R. 1.17(e)

ii. Extension of time fee (37 C.F.R. 1.136 and 1.17)

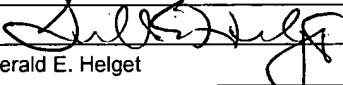
iii. Other Petition for Revival of Application Abandoned Unintentionally

b. Check in the amount of \$ 1,145.00 enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

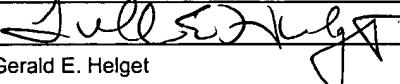
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	February 2, 2005
Name (Print /Type)	Gerald E. Helget	Registration No. (Attorney/Agent)	30,948

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	
Name (Print /Type)	Gerald E. Helget

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02/09/2005 MAHMEED1 00000040 02625979 395.00 0P

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Appln: Jeffrey D. Flood
Serial No.: 09/826,979
Filed: April 5, 2001
For: PORTABLE CONCRETE PLANT
Confirmation No.: 4125
Group Art Unit: 1723
Examiner: David L. Sorkin
Art Unit: 3634
Attorney: Gerald E. Helget
Attorney Docket No.: 33097.3
Additional Fees: Charge to Deposit Account 02-3732

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE)
AND AMENDMENT AND RESPONSE

Applicant hereby requests continued examination for the above-identified application, in accordance with 37 C.F.R. § 1.114. This request is being submitted prior to the filing of a notice of appeal.

CERTIFICATE OF MAILING

I hereby certify that this document, along with the documents referenced above, are being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

By: 
Date: 2/13/05